



Attorney Docket No.:3486-024 DIV3

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

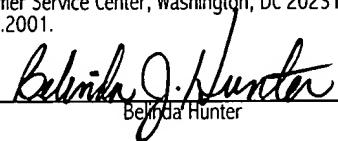
Applicant : HOCHMAN, Mark N  
Serial No. : 09/767,027  
(this is a divisional of parent application 09/201,464)  
Filing Date : January 22, 2001  
Title : DRUG DELIVERY SYSTEM WITH PROFILES  
Examiner : To Be Assigned  
Group Art Unit : 3763

April 6, 2001

Assistant Commissioner for Patents  
Attention: OIPE - Customer Service Center  
Washington, D.C. 20231

CERTIFICATE OF MAILING UNDER 37 CFR § 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service via First Class mail service in a post-paid envelope addressed to: Assistant Commissioner for Patents, Attn: OIPE - Customer Service Center, Washington, DC 20231 on 04.06.2001.

  
\_\_\_\_\_  
Belinda J. Hunter  
Belinda Hunter

**RESPONSE TO NOTICE TO FILE MISSING PARTS**

SIR:

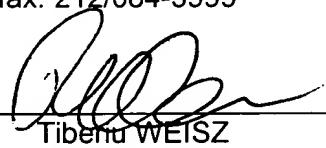
At the time of filing the above-identified patent application on January 22, 2001, the USPTO overlooked applicants claim of small entity status on the *Utility Patent Application Transmittal (form PTO/SB/05)* at item 2.

Applicant by his undersigned attorneys hereby claim entitlement to small entity status under 37 CFR §1.27. Therefore, it is believed that the total outstanding balance of \$427 as indicated on the *Notice to File Missing Parts* is not now due.

Dated: April 6, 2001  
New York, New York

Respectfully submitted,

GOTTLIEB RACKMAN & REISMAN PC  
Attorneys for Applicant  
270 Madison Avenue  
New York, New York 10016-0601  
Telephone: 212/684-3900  
Telefax: 212/684-3999

By: 

Tibor WEISZ  
Reg. No. 29,876

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13 PS  
Please type a plus sign (+) inside this box →

Approved for use through 09/30/2000. OMB 0651-0031  
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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Section 5

## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

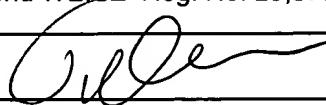
4

Application Number	09/767.027
Filing Date	January 22, 2001
First Named Inventor	HOCHMAN, Mark N
Group Art Unit	3763
Examiner Name	To Be Assigned
Attorney Docket Number	3486-024 DIV3

### ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Response	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below)
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	<input type="checkbox"/> Return Receipt Postcard;
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Small Entity Statement	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Request for Refund	
<input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application	<input type="checkbox"/> Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	GOTTLIEB RACKMAN & REISMAN PC Tiberiu WEISZ Reg. No. 29,876
Signature	
Date	April 6, 2001

### CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: 04.06.2001

Typed or printed name	Belinda HUNTER
Signature	
Date	April 6, 2001

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be send to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
 UNITED STATES PATENT AND TRADEMARK OFFICE  
 WASHINGTON, D.C. 20231  
 www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/767,027	01/22/2001	Mark Hochman	3486-023 DIV2

22440  
 GOTTLIEB RACKMAN & REISMAN PC  
 270 MADISON AVENUE  
 8TH FLOOR  
 NEW YORK, NY 100160601

CONFIRMATION NO. 3318  
 FORMALITIES LETTER

  
 \*OC000000005899349\*

**COPY**

Date Mailed: 03/26/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

***Filing Date Granted***

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 355 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$27.
  - \$27 for 3 total claims over 20.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 447.**

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE